



"True to his charge—he comes, the Herald of a noisy world; News from all nations lumb'ring at his back."

NEW SERIES—NO. 7 VOL. VI.]

LEXINGTON, K. FRIDAY, FEBRUARY 17, 1820.

[VOL. XXXIV.]

## TERMS OF THE Kentucky Gazette, PUBLISHED EVERY FRIDAY MORNING, By Norvell & Cavins.

The price to Subscribers, is, **THREE DOLLARS** per annum, **PAID IN ADVANCE**, or **FOUR DOLLARS** at the end of the year. All new subscribers must in every instance be paid in advance.

The **TERMS OF ADVERTISING** in this paper, are, **FIFTY CENTS** for the first insertion of every 15 lines or under, and **TWENTY-FIVE CENTS** for each continuance; longer advertisements in the same proportion.

All advertisements not paid for in advance, must be paid for when ordered to be discontinued.

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## Laws of the United States.



[BY AUTHORITY.]

### AN ACT

Allowing to Sarah Allen the bounty land and pay which would have been due to her son Samuel Drew, had he lived, for his services in the late war.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the secretary of war be authorized to issue, in the name of Sarah Allen, a land warrant for the bounty land which Samuel Drew, a soldier in the army of the United States, deceased, would have been entitled to, had he lived.

Sec. 2. And be it further enacted, That whatever sum shall be found due to the said Samuel Drew, for his service as a private soldier, on settlement of his account, be paid to the said Sarah Allen, out of any money in the treasury not otherwise appropriated.

H. CLAY,

Speaker of the House of Representatives.  
DANIEL D. TOMPKINS,  
Vice President of the United States and  
President of the Senate.

January 10, 1820—Approved:  
JAMES MONROE.

### RESOLUTION

For the further distribution of the Journal of the convention which formed the constitution of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the secretary of state be instructed to furnish to each member of the present congress, and the delegates from territories, (who may not be entitled to the same, under the resolution of congress of the twenty-seventh of March, one thousand eight hundred and eighteen,) the president and vice president of the United States, the executive of each state and territory, the attorney general and judges of the courts of the United States, and the colleges and universities in the United States, each one copy; for the use of each of the departments, viz: State, Treasury, War, and Navy, two copies each; for the use of the House of Representatives, ten copies, of the volumes containing the journal, acts and proceedings, of the convention which formed the constitution of the United States; and that the residue of the copies of said journal be deposited in the library of congress, for the use of the members.

H. CLAY,

Speaker of the House of Representatives.  
DANIEL D. TOMPKINS,  
Vice President of the United States, and  
President of the Senate.

January 19, 1820—Approved:  
JAMES MONROE.

JANUARY 26.

### AN ACT for the relief of Matthew Barrow.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be paid to Matthew Barrow, out of any unappropriated money in the Treasury of the United States the sum of three hundred and nine dollars and nineteen cents; which sum was expended by the said Barrow, in defence of a prosecution at the suit of Absalom Page, prosecuted by him, in and for property of the United States, during the late war with Great Britain.

H. CLAY,

Speaker of the House of Representatives.  
DANIEL D. TOMPKINS,  
Vice President of the United States, and  
President of the Senate.

January 28, 1820—Approved:  
JAMES MONROE.

### AN ACT for the relief of James Hughes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby authorized and required to issue a certificate for four hundred dollars, to James Hughes, of Randolph

county, in the state of Illinois, or his representatives, as a compensation for two hundred acres of land, to which he was entitled, and which has been sold by the United States; which certificate shall be receivable in payment for so much of any debt to the United States or public land.

H. CLAY,

Speaker of the House of Representatives.  
DANIEL D. TOMPKINS,  
Vice President of the United States and  
President of the Senate.

January 28, 1820—Approved:  
JAMES MONROE.

### SPEECH

OF THOMAS P. MOORE, (OF MERCER.)  
On the bill to repeal the charters of the Independent banks in this commonwealth.

MR. SPEAKER—I flatter myself that I have not hitherto been regarded as troublesome or obtrusive in this house; but I shall be pardoned for trespassing on their patience on this occasion. Differing on this important subject from my much respected colleague, and residing in a town in which there is an independent bank that has fully realized the expectations of society, and to which I am under personal obligations, I feel it my duty to avow the reasons which constrain me to vote for the bill repealing their charters.

The first view which I shall take of that bill is in relation to its constitutionality. It is contended by many, that the charters of the Independent banks are contracts between the state and the several persons composing those corporations, and that a repeal of their charters would be a violation of such contract, and would impair its obligation, contrary to the constitution of our country.—There are, Mr. Speaker, two kinds of corporations; one is the grant of power to do certain things, for which compensation is allowed by the charter; the other is a grant of certain privileges to be used for the public good. The former is a contract the latter is not.—Of the former kind, are corporations instituted for the building of bridges, the making of turnpikes, and digging of canals. In those cases the contract consists in this:—The corporation agrees to expend their money in building a bridge, making a turnpike, or digging a canal, and are allowed by the state certain tolls as a compensation. The corporation agrees to build their bridge, and the state agrees that in consideration thereof, it shall be permitted to levy certain tolls. After they have spent their money and converted it into a bridge, it is not within the constitutional power of the legislature to say they shall not receive the tolls which were the moving consideration for the expenditure of their money. A repeal of their charter in this instance would impair the contract and destroy the property of individuals who had in good faith complied with their agreement with the state. In those cases and in all others in which a charter of incorporation has the nature of a contract, the power to receive tolls or other benefits, in consideration of services performed, is not a natural right, but a mere creature of the law, or the result of the contract between the state and individuals. Any man may build a bridge, make a turnpike, dig a canal, on his own land or over his own waters; but he cannot exact tolls unless permitted by law. The expense of those undertakings is so great that individuals will not incur it without compensation. To encourage such enterprises, the state may contract with individuals, that if they will incur the necessary expense in making those improvements, they shall receive compensation in tolls.—It is a fair contract, and the state cannot rightfully dissolve it. Nor does it make any difference whether the right be given to a corporation by a charter, (so called) or to an individual by law. A charter adds nothing to the sacredness of the contract, but it is just as inviolable in the one case as in the other. The repeal of the charter or the law would equally violate the contract and destroy the property of one of the parties.

But banking, Mr. Speaker, rests on grounds essentially different. It is a natural right, originally possessed by every member of the community before it was taken away by law. It was found by the experience of the state; that its general exercise was injurious to the interests of the community; and the right was taken away by law. You never heard of a law to prevent men from building toll bridges; but our statute book exhibits several for the suppression of banking. Banking, therefore, is a natural right, originally possessed by every citizen, which the legislature, for the common good, have taken away.—What, then, is the effect of a bank charter or a law to authorize banking? It merely restores to a corporation or an individual, a right which they originally possessed, in common with the whole community. It restores to them the right of using their money in a particular business, which had before been prohibited them by law. With respect to them, it is a repeal of the laws against banking because the legislature believes

that the right may be exercised by them with benefit to the community. With regard to the exercise of the right, they are placed on precisely the same footing as if the laws prohibiting banking had never passed: for the nature of the right is in no way changed by the immunities conferred on its exercise by law. These corporations are not required to perform any act or make any public improvement, to entitle them to issue notes and receive interest on their money. They make no bridges, roads, or canals, in which their property would become invested and in which it would be sunk, were the legislature to deprive them of banking powers. The only benefit expected from them is merely a collateral one, which may be produced from them, or may not. If the state expects any thing, it is that they will afford more capital for trade, and a circulating medium to the country. But neither these, nor any other public services are required of them as a condition on which they shall exercise banking powers. To confer the power of banking is, therefore, the naked restoration of a natural right. Shall it be said that this right when restored to a few, is more sacred than when it originally belonged to the whole community? Shall it be said, that the legislature could take this right from the whole people when the public good required it, and that they cannot now take it from a privileged few? Is it more sacred when restored to this legislature than when it was originally granted by the God of nature? Should we now make a law allowing every company and individual in this commonwealth the right of banking, would we not have the power to repeal such a law at any time when we might think proper? Could we not do it upon the same ground that we originally took this right from the whole people when the public good required it?

If we could take this right thus restored, from the whole community, surely it will not be contended, that we cannot take it from a few individuals. In this view, the argument that the limitation of the exercise of the right for 20 years is proof of a contract, is placed in its proper light. If the legislature can contract with a corporation or individual, that they shall exercise the powers of banking for twenty years, they can make such contract with every individual;—and if they can make a contract for twenty years, they can make it forever. A legislative grant of the power of banking might, therefore, be made to every individual in the community without limitation; which, on the doctrine contended for by gentlemen could never be revoked; although it would evidently be nothing more than restoring them to a natural right, of which they had been deprived by law. Thus the legislature, by taking away the right and restoring it again, would lose their right of restricting banking forever. But such absurdities cannot be consistent with our constitution—such a construction of that instrument never will be tolerated by an intelligent people. The effect of a bank charter, as it is called, is nothing more than a repeal of the laws against banking, so far as it respects the individuals concerned, limited to twenty years. During that twenty years, their right to bank rests on precisely the same ground as if no law had ever been passed on the subject, unless the legislature should again interfere, modify, or take away the restored right.

But, Mr. Speaker, it is often contended, that the tax paid to the government is the consideration of the contract, and binds the government not to take away the right to bank for twenty years. This argument cannot be sound; for it would take from the legislature the power of legislating on any subject which pays a tax for the support of government. Banking is a business which, in common with every other business in the community, is subject to taxation for the support of government. Will it be contended, that before any law was passed to restrain private banking, the legislature had not the power to tax banks instituted either by individuals or a company? It will not be so contended. Did this power or its exercise, deprive the legislature of the power of taking from those individuals or companies the right of banking? Surely not. Then why have they not the right to tax banks under this restored right, without detriment to their right of again taking it away? A tax is an equivalent paid for present protection; not for protection fifteen years hence. Every tax has relation to the period for which it was laid, and for no longer or subsequent period. In this country taxes are laid and collected annually. The Independent banks pay a tax this year for 1820 and not for 1830; and as soon the fiscal year expires, they have received the protection for which they have paid. When we no longer protect them, we shall no longer tax them, and should we repeal their charters this year, we shall hardly be so absurd as to tax them for 18 years to come. We do not in this country destroy men or banks, and make them pay for it besides. From these principles it conclusively follows, that taxation is an equivalent for protection, and that the tax levied on them annually is no more a reason why the government should permit them to exist for twenty years, than the tax levied on billiard tables is a reason why they should exist forever; and on account of the tax merely, it is no more unconstitutional to repeal a bank charter than to suppress billiard tables.

But it will doubtless be contended, that the right of banking possessed by these corporations, is not the same as that originally possessed by every member of the community, in as much as the individuals composing these corporations are not responsible for the debts thereof. It may be contended that the granting of those charters, the legislature transcended their powers by the grant of exclusive privileges; but the immunity from responsibility possessed by these companies of bankers, arising out of their business, to which other citizens are subject, is most clearly unconstitutional. When the whole community possessed the right of banking, every individual or company who choose to establish a bank was responsible to the whole amount of his property. If the legislature had granted to a few men entire immunity from responsibility, while all the rest of the community were subject to it, would it not have been manifestly an exclusive privilege? The fact is so glaring that no man can deny it. But what is the fact now? Superadded to this exclusive privilege of immunity from responsibility, a few men now possess the exclusive privilege of banking. If the fact was glaring in the first instance, how much more so is it in this? Could the legislature originally take away the power of banking from a part of the people and leave it to the rest? Could they have passed a law forbidding the people of one part of the state to carry on banking and permitting it to another? Could they say, that the right of banking should be left to those of the north and prohibited to those of the south? No; such a law would have been too glaringly unjust, exclusive and unconstitutional. Yet they have done the same thing in a more circuitous manner. They have first taken the right from all and then restored it to a few. For these reasons, Mr. Speaker, I am decidedly of opinion, that the Independent banks ought not to be considered in the light of contracts, and that this legislature has an entire right to repeal them and they ought to repeal them; because they confer exclusive privileges and are in themselves unconstitutional.

The only argument which can be adduced in their support is, that they are useful to the community. How far this is true I will now proceed to examine. They do not increase the wealth of the country. The wealth of a country is increased only by its surplus productions. The amount of those depends on the hands employed. The banks, draw hands from agriculture and the accompanying arts, in the officers required for their management, and in tempting men from the old fashioned beaten track of honest industry, to the delusive field of speculation; and in the promotion of a general spirit of idleness. Nor have they added any thing to the means of exporting the surplus products of the soil. The real capital of a country increases in proportion to its surplus products. Fictitious capital is never absolutely necessary, though some times convenient. All useful conveniences of this sort furnished by the bank of Kentucky, and the United States' branch banks. The Independent banks have added nothing to those conveniences. So far as they have done any thing, they have drawn business from the pre-existing banks. Most of their dealing in that way has been in race horse bills, drawn by speculators, who had purchased up the real property of the country for which they were unable to pay and were thus endeavoring to put off the evil day as long as possible.—This stock is mostly held by speculators who borrowed its amount or more and bought up the farms under the delusive expectation that they would rise in value. The industrious productive hands were thus sent off to new counties and many of their farms are now uncultivated and desolate. It is an injury to a country situated as ours is, that lands should rise in price. The enterprising and industrious will sell out and go where lands are cheaper. In losing its productive hands, the country loses its wealth. Hence, speculations in lands are always injurious. The only kind of speculation which should be encouraged in our country is in the produce of the soil, where the farmer gets well paid for his labor and the merchant makes a reasonable profit for the risk of exportation.

But had the Independent banks succeeded according to their wishes, they would have been injurious. Real property would have risen in price; some men would have made princely fortunes and accumulated wide domains. The industrious farmer would have gone to another country and we should have had nothing around us, but wealthy nabobs, and abject poverty. It is not so much the interest of a country that a few should

be industrious. It is a blessing to our country that the independent banks did not succeed.

Nor have they added any thing to the circulating medium of the country. The notes circulated by all those I have examined which have reported to this house amount to one hundred and eighty thousand two hundred dollars. Their amount of specie on hand is one hundred and thirty one thousand five hundred and eighteen dollars. Who does not believe that this amount of specie if taken out of their vaults and thrown into circulation, would be more useful to the community than their notes. But even that amount of notes is not in actual circulation? A large proportion of them is shut up in the vaults of other banks. The amount of notes of other banks reported by them to be on hand is \$69,648. If other banks have as large an amount of their notes on hand as they have of other banks, their notes in circulation amount only to thirty nine thousand one hundred dollars. In addition to this, they have driven in the paper of the bank of Kentucky, a currency in which the people repose confidence, and regarded as much better than their own, to an enormous amount, and left little else but their trash in lieu of it. They have destroyed public confidence in all banks and deranged the whole business of the country. Instead of relieving the people from debt they have involved them still further. The amount of debts due to those I have examined is one million twenty-eight thousand three hundred dollars, and the amount of their paper in circulation is as we have seen, one hundred and eighty thousand two hundred dollars. There is but one way to get rid of this mighty debt. Most of it is due to stockholders; dissolve the institutions, and let the debts pay for the stock. The stock paid in is one million sixty-four thousand dollars, by which it appears that the debt due the bank are sufficient to pay it out again.

After having as I trust, Mr. Speaker, shown the power of the legislature to repeal the law giving existence to the Independent banks, and their entire inefficiency and worthlessness in furnishing a circulating medium, I will endeavor further to demonstrate the propriety and absolute necessity of their repeal. This can surely never be a question with any man who has observed the history of this country for the last three years and its present deplorable and distressing situation. When this curse was set forth on the land, no doubt for some wise dispensation of providence, what was the prospect presented to your delighted eye? Industry flourished, plenty displayed her horn, every countenance was lighted up with joy, every heart swelled with honest pride and manly independence, society exhibited the ruddy glow of vigor and healthfulness, the purple light of virtue and youth. But how soon was this bright scene to be changed, sudden as if by the magic wand of some potent sorcerer. The Independent banks are called into existence in a paroxysm of legislative insanity—I had almost said insanity, and like the fatal blast of the desert, beneath whose widely wasting breath, the very cypress droops to death, they were the harbinger of fate and gloom. Every virtue sickens; disappears at their approach, industry is commuted for idleness, and visionary schemes of speculation; wasteful and luxurious profusion usurp the place of economy, the honest farmer is transformed into a money changer, or a dealer in the rich merchandize of the east; the noise of the wheel and the loom are no longer heard; but in their stead the music of the violin and the piano, lapt the senses of the would be nabobs, into a drowsy forgetfulness; the meretricious splendor of aristocratic vanity, banished the plain, simple, and unsophisticated manners and habits of republicanism; the high reared crest of independence covered into sycophantic, and cringing servility; and what now, sir, is the appalling appearance of the country? The demon of desolation riots upon the scene, and stalks abroad in all the terrible majesty of his power. Cold, heart-chilling poverty, with her train of misery and vice no longer confines herself to the hovels of habitual infamy, and squalid idleness, but alike knocks and enters as does the great king of terrors, into the palace, and the cottage. A great terror seems to have come upon the people, and a melancholy sensation of despair seems to have settled on every brow. The country is but the shadow of what it was; preyed upon, and blood-sucked by those vampire institutions, it reminds you of one in the advanced stage of some consuming and wasting disease. And shall we Mr. Speaker apply no remedy? Shall we not make one exertion to save a suffering people, suffering and writhing under a disease which the legislature have themselves created? But gentlemen shrink back with horror, when we talk of administering relief to the country, the best kind of relief, a removal of the principal cause of distress—and invoke the genius of the constitution. Not a whisper is breathed when this brood of vipers is to be generated, not a constitutional scruple is suggested as to our right and power to stretch the coun-

try upon a bed of burning coals; but if this consuming fire is to be quenched, or if one of this blood-sucking brood is to be strangled, and the people relieved from a portion of a system that has brought them to the verge of ruin; you are astounded with appeals to the sacredness of public faith and constitutional inviolability.—Is it possible that any man can put such a construction upon that sacred charter of our liberties, that unlimited ability should be given to perpetrate deeds of destruction and evil, but the door forever closed upon the celestial power of redeeming the people from that state of jeopardy and deadly ill to which we had consigned them? I never can, I never will, Mr. Speaker, adopt such a construction; and for one I will stretch forth the arm of power to save the people and annihilate the principal cause of their distresses. I will vote to repeal the independent banks.

One more suggestion and I am done. It has been asserted in and out of this house, that the advocates for a repeal of the independent banks, are the partisans of the bank of Kentucky. Not so, Mr. Speaker, I am prepared at this time to lop off the most exceptionable limb of the banking system, and gradually, but certainly to destroy the whole fabric. That we cannot produce an entire remedy for the disease, constitutes no reason why we should not mitigate its severity. Young as I am, Mr. Speaker, the opinions I have advanced are the result of experience. I have participated in the mania for banking; have tasted the bitter fruit and feel therefrom the more confidence in the rectitude of my own course.

## Nashville Female Academy.

THE Sixth session of the Nashville Female Academy commenced on Monday the 17th instant—the Reverend William Hume, superintendent, Miss Payson principal instructor, aided by Miss Ferrington, Miss Childs, Miss Sterns, and Miss Carl.

The Trustees have the pleasure to state, that at no time since the establishment of the Seminary, have its advantages been so great, or its prospects so flattering. The proficiency of the pupils is the best test of the teachers ability: the most satisfactory evidence in this respect was furnished at the last examination. Nor was it their correct tuition alone for which the teachers of the last session deserve the thanks of the Trustees and of the public: the good order and discipline which marked its progress were no less creditable in their effects;—no less creditable to those from whom they emanated, add by whom they were maintained.

Near the close of the last session the trustees were so fortunate as to procure the services of the Reverend Mr. Hume in the capacity of superintendent. The institution has also been greatly benefited by the acquisition of Miss Ferrington, of Boston, Massachusetts; who commenced her duties with the present session.

The experience and accomplishments of the instructresses, the piety and learning of the superintendent, cannot fail to secure the confidence of parents and guardians. The following branches will be taught:—Reading, Writing, English Grammar, Arithmetic, Composition, History, Geography, Ancient and modern with the use of the Globes, Rhetoric, Logic, Moral Philosophy, Natural Philosophy, Chemistry, Astronomy, Botany and Mythology, Plain Sewing, Filagree, and all kinds of ornamental Needle Work, Embroidery, Tambouring, Rug work, &c. &c.—Drawing and Painting, in their various branches, Flowers, Fruit, Figures, &c. &c.—Paintings on Velvet, Satin and Wood; and in imitation of Enlaving and Bronze. To these Music will be added, as soon as a suitable teacher of Music can be procured.

The trustees have already resolved that as testimonials of their literary merit and pretensions, they will give Diplomas to such Young Ladies as shall complete the prescribed course of studies.

The new wing of the Academy is finished: 300 pupils can now be accommodated. The additional room by this attained, will enable the trustees to receive more students than have yet attend.

The Reverend Mr. Harrison and Lady continue to have the charge of the Stewards House. From their qualifications, and exertions to accommodate, it is confidently believed that they will give satisfaction.

The Stewards House is more than ever inspected by the trustees. The Young Ladies who board there are immediately under the eye of the teachers, subject to particular regulations prescribed for their government.

(A copy) Attest,  
JOHN P. ERWIN, Secy.

Nashville, Jan. 26, 1820.—  
The editors of the Knoxville Register, Murfreesborough Courier, Kentucky Gazette, Lexington, Russellville Messenger, Ky. and Shelbyville Herald, Ten will give the above insertion, and forward their accounts to this office for payment.

## A list of Balances

DUE NO. 7, CHEAPSIDE.  
IS made out, up to the 31st day of Dec. 1819, which the proprietor is extremely anxious should be settled, either with cash or due bills. He thinks it unnecessary to say he wants the money, he would merely refer those concerned to their own feelings on such an occasion.

## Notice.

THE person who took from Mr. DARCO'S BALL ROOM on the night of the 14th inst. a SILVER PLATED CANDLE STICK, is requested to return it immediately.  
January 28th, 1820.

## POPULARS:

THE season approaches for setting out these beautiful trees: any quantity can be obtained on application at my Garden. Those who wish to ornament their grounds, may select any size to suit their purposes.

JOHN FOWLER.

Jan. 28, 1820—48



## CONGRESS.

IN SENATE.—JANUARY 31.

Mr. Sanford presented to the Senate certain resolutions of the legislature of New-York, declaring the right of Congress to require of new states, not comprised within the original boundaries of the United States, the prohibition of slavery as a condition of their admission into the Union; and instructing the Senators from New-York to oppose the admission of any such state without such a condition: which resolutions were read.

Mr. Walker, of Georgia, laid on the table a resolution directing the judiciary committee to enquire into the expediency of increasing the salary of the district Judge for the district of Georgia.

Mr. Johnson, of Louisiana, submitted the following resolution:

Resolved, That the President of the United States be requested to lay before the Senate such information as he may possess relative to the execution of so much of the first article of the late treaty of peace and amity between his Britannic Majesty and the United States as relates to the restitution of slaves, and which has not heretofore been communicated.

The concurrence of the senate in the report of the committee of claims unfavorable to the motion of Mr. Leake, reconsidered, and the report was then, on motion of Mr. Eaton, re-committed to the committee of Claims.

The report of the committee of claims unfavorable to the petition of Cornelius Schoonmaker, was taken up and agreed to.

The senate then resumed the consideration of the *Missouri Question*.

Mr. Barbour, of Virginia, rose and addressed the Senate more than three hours, against the proposed Restriction; but, before concluding his speech, intimated a desire to be allowed to defer the remainder of his remarks to tomorrow; and the subject was accordingly postponed.

The senate then went into the consideration of Executive business.

FEBRUARY 1.

Mr. Otis submitted the following resolutions for consideration:

Resolved, That the committee of Finance be instructed to enquire into the expediency of reviving, for — years, the law making foreign gold coins a tender.

Resolved, That the committee on Finance be instructed to enquire into the expediency of providing by law for the payment of the Mississippi Stock by the issue of Treasury Notes, bearing interest at — per cent. per ann. and redeemable at the pleasure of Government, to such of the proprietors thereof as may elect to receive payment in this way.

The resolutions offered yesterday by Mr. Walker, of Geo. and Mr. Johnson, of Lou. respectively, were severally considered and agreed to.

The senate then resumed the consideration of the *Missouri Question*.

Mr. Barbour, of Va. concluded the speech which he commenced yesterday, against the Restriction.

Mr. Roberts of Penn. followed, in support of the Restriction, and in reply to the gentlemen who had opposed it.

Mr. Johnson, of Kentucky, succeeded, and closed the debate, in a speech of some length against the Restriction.

No other gentleman rising to speak, the question was then taken on the Restrictive amendment offered by Mr. Roberts, which is in the following words: "Provided also, that the further introduction into the said state of persons to be held in slavery or involuntary servitude within the same, shall be absolutely and irrevocably prohibited;" and decided in the negative, by yeas and nays, as follows:

YEAS—Messrs. Burrill, Dana, Dickerson, King, of N. Y. Lowrie, Mellen, Morrill, Noble, Otis, Roberts, Ruggles, Sanford, Taylor, Tichenor, Trimble, Wilson—16.

NAYS—Messrs. Barbour, Brown, Eaton, Edwards, Elliot, Gaillard, Hunter, Johnson, of Ky. Johnson, of Lou. King of Alb. Lannan, Leake, Lloyd, Logan, Macon, Palmer, Parrott, Pinkney, Pleasant, Smith, Stokes, Thomas, Van Dyke, Walker of Alb. Walker of Geo. Williams of Miss. Williams of Tenn.

So the amendment was rejected, and the Senate adjourned.

FEBRUARY 2.

### MAINE AND MISSOURI BILLS.

Mr. Burrill, of Rhode Island, moved to amend the 5th section of the amendment respecting Missouri, wherein it is provided, that the constitution, whenever formed, "shall be republican, and not repugnant to the constitution of the United States," by adding to this provision the following clause:—"nor to the three first articles of Compact in the ordinance of the 13th of July, 1787, between the original states and the people and states of the territory north-west of the river Ohio."

FEBRUARY 3.

Mr. Ruggles, of Ohio, laid before the senate sundry resolutions of the legislature of Ohio, requesting the senators and representatives in congress from that state to oppose the admission of slavery into any of the territories of the United States, or into any new state which shall be hereafter admitted into the Union; which resolutions were read and ordered to lie on the table.

The report of the committee of pensions against the petition of Benjamin Mortimer, was taken up and agreed to.

### MAINE & MISSOURI.

The senate resumed the consideration of this subject—Mr. Burrill's motion (offered yesterday) still under consideration.

Mr. Burrill withdrew his amendment for the purpose of allowing a different

amendment to be offered; when, accordingly,

Mr. Thomas, of Illinois, submitted the following additional section, as an amendment to the Missouri bill, (which it will be recollected, is proposed, by a report of the judiciary committee, to incorporate with the Maine bill,) viz:

"And be it further enacted, That in all that tract of country ceded by France to the United States, under the name of Louisiana, which lies north of thirty-six degrees and thirty minutes north latitude, excepting only such part thereof, as is included within the limits of the state contemplated by this act, there shall be neither slavery nor involuntary servitude otherwise than in the punishment of crimes whereof the party shall have been duly convicted. *Provided, always,* That any person escaping into the same, from whom labor or service is lawfully claimed in any state or territory of the United States, such fugitive may be lawfully reclaimed, and conveyed to the person claiming his or her labor or service as aforesaid."

The amendment having been read, the further consideration of the subject was, on motion of Mr. Thomas, postponed to Monday next.

The senate next took up the bill to remit the duties on a statue of General Washington, executed in Italy, by the Marquis de Canova, for the state of North Carolina; and the bill was ordered to be engrossed and read the third time; and then

The senate adjourned to Monday.

### HOUSE OF REPRESENTATIVES.

JANUARY 21.

The Speaker communicated to the House a letter from the Secretary of War, transmitting, in obedience to a resolution of this House, a statement of the public expenditures on the military academy at West Point, the number and names of the cadets educated there from each state, &c. and an estimate of the sums necessary for the support of the institution for the next three years.

Mr. Sergeant, from the committee on the Judiciary, reported a bill to repeal the "act to lessen the compensation of marshalls, clerks, and attorneys, in the cases therein mentioned," passed April 18, 1814.

Mr. Sergeant, from the same committee, reported a joint resolution, authorizing astronomical observations to determine the longitude of the Capitol, from Greenwich or some other European observatory.

The said bill and resolution were severally twice read and committed.

On motion of Mr. Silsbee, it was

Resolved, That the President of the United States be requested to lay before this House an account of the annual receipts of Hospital money, under the acts of July 16th, 1793, and March 2d, 1799, up to the 25th February, 1811; and from that period an account of the annual receipts, under the first mentioned act, to the 30th Sept. 1812, distinguishing the districts within which collected; also an account of the annual expenditures of said Hospital money, the districts within which expended, the Hospitals erected, the places where, the regulations under which expenditures are made, the present state of the Marine Hospital fund, and how invested.

Resolved, That the Commissioners of Navy Hospitals be directed to lay before this House an account of the annual receipts of Hospital money, under the act of March 2d, 1799, from the 26th February, 1811, to September 30th, 1819, together with an account of the annual expenditures of the same, the districts within which expended, the hospitals erected, the places where, the present state of the Navy Hospital Fund, and how invested.

### AMENDMENT OF THE CONSTITUTION.

Mr. Baldwin, of Penn. offered the following resolution, which was twice read and committed to a committee of the whole House.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, two thirds of both houses concurring, That the following amendment to the constitution of the United States be proposed to the Legislatures of the several states; which, when ratified by the Legislatures of three fourths of the states, shall be to all intents valid and purposes, as part of the said constitution:—

That Congress shall make no law to erect or incorporate any bank, or other monied institution, except within the District of Columbia, and every bank, or other monied institution, which shall be established by the authority of Congress, shall, together with its branches, and offices of discount and deposit, be confined to the District of Columbia.

The bill from the Senate, to provide for procuring, in future, accurate returns of the foreign commerce of the United States, was read the third time and passed.

### THE MISSOURI BILL.

The House then again resolved itself into a committee of the whole, Mr. Baldwin in the chair on this bill—the proposed Restriction still under consideration.

Mr. Reid, of Georgia, addressed the House in a speech of about half an hour, against the Restriction.

Mr. Cragg, of New Hampshire, followed, on the other side of the question, and spoke about an hour in favor of the Restriction.

Mr. Downe, of Massachusetts, succeeded, on the same side, and advocated the Restriction near half an hour.

Mr. Randolph, of Virginia, next rose, after a few remarks from him, indicative of an intention to address the House on the question, he gave way for a motion for the committee to rise; when

The committee rose, obtained leave to sit again; and

The house adjourned.

JANUARY 26.

The proposition under consideration was an amendment, offered yesterday, to the 2d section of the bill, by Mr. Storrs, substantially to alter the limits of the pro-

posed state, so as to make the Missouri river the northern boundary thereof;—with the view of drawing a line on which those in favor of and those opposed to the slave restriction, might compromise their views—his reasons therefor, as well as those of others, for and against the proposition, will be given hereafter.]

Mr. Storrs rose and withdrew the amendment which he had offered yesterday, and in lieu thereof, submitted the following:

And provided further and it is hereby enacted, That, forever hereafter, neither slavery nor involuntary servitude (except in the punishment of crimes, whereof the party shall have been duly convicted,) shall exist in the territory of the United States, lying north of the 38th degree of north latitude, and west of the river Mississippi, and the boundaries of the state of Missouri, as established by this act. *Provided,* that any persons escaping into the said territory, from whom labor or service is lawfully claimed in any of the states, such fugitive may be lawfully reclaimed, and conveyed according to the laws of the United States in such case provided, to the person claiming his or her labor or service as aforesaid.

On this motion a debate ensued, of a desultory character, but worthy of being reported, and which shall be reported at a future day, with the debate which is about to take place on the main question.

Messrs. Randolph, Lowndes, Mercer, Brush, Smith of Maryland, Storrs and Clay, successively followed each other in debate.

The question being taken on the motion of Mr. Storrs, was decided in the negative.

The reading of the bill proceeded as far as the fourth section; when

Mr. Taylor of New-York, proposed to amend the bill by incorporating in that section the following provision:

Sec. 4. line 23, insert the following after the word "states;" "And shall ordain and establish, that there shall be neither slavery nor involuntary servitude in the said state, otherwise than in the punishment of crimes, whereof the party shall have been duly convicted:—*Provided, always,* that any person escaping into the same, from whom labor or service is lawfully claimed in any other state, such fugitive may be lawfully reclaimed, and conveyed to the person claiming his or her labor or service as aforesaid: And provided, also, that the said provision shall not be construed to alter the condition or civil rights of any person now held to service or labor in the said territory."

Mr. Holmes, of Mass. has resumed the floor, and occupied about two hours in concluding the argument which he commenced yesterday, against the proposed Restriction.

Mr. Smyth, of Va. followed on the same side, but had not proceeded far in his argument, when he gave way for a motion for the committee to rise.

The committee rose accordingly, and obtained leave to sit again; and

The House adjourned.

FEBRUARY 1.

The speaker laid before the House a report of the Secretary of the Treasury, transmitting copies of the receipts and expenditures of the United States, for the year 1818.

These communications were ordered to lie on the table, and the first to be printed.

Mr. Pindall moved to amend the standing rules of the House, by adopting the following proposition:

"Stenographers who may be desirous to report the Debates shall, previous to their admission to the tables within the House, swear that they will truly, and according to the best of their knowledge, without addition, diminution, or alteration, report the Debates, or so much thereof as they shall at any time publish; that, in every such report, they will, so far as practicable, adhere as well to the language as to the purport or substance of the remarks made by the members, and that they will not impute any member for, or receive from any member, directly or indirectly, advice or any written note or memorandum, with intent therefrom to make any such report."

The proposition lies on the table one day of course.

MISSOURI BILL.

The House then again went into committee of the whole, Mr. Baldwin in the chair, on this bill—the proposed Restriction still under consideration.

Mr. Reid, of Georgia, addressed the House in a speech of about half an hour, against the Restriction.

Mr. Cragg, of New Hampshire, followed, on the other side of the question, and spoke about an hour in favor of the Restriction.

Mr. Downe, of Massachusetts, succeeded, on the same side, and advocated the Restriction near half an hour.

Mr. Randolph, of Virginia, next rose, after a few remarks from him, indicative of an intention to address the House on the question, he gave way for a motion for the committee to rise; when

The committee rose, obtained leave to sit again; and

The House adjourned.

FEBRUARY 2.

Resolved, That the committee on the public roads be instructed to enquire into the expediency of authorizing the President of the United States to appoint a receiver of the public money and estate for the land office of Lawrence county, in the territory of Arkansas.

On motion of Mr. Brown, it was

Resolved, That the committee on the post office and post roads, be instructed to enquire into the expediency of so changing the route from the Great Crossings, in Kentucky, as to pass by Hestersville, the seat of Justice of the county of Owen, in said state.

MISSOURI BILL.

The House then resumed, in committee of the whole, Mr. Baldwin in the chair, the consideration of the Restrictive amendment proposed to this bill.

Mr. Randolph rose and addressed the committee nearly three hours against the amendment; but had not concluded his remarks, when he gave way for a motion for the committee to rise; and

The House adjourned.

FEBRUARY 3.

The Speaker laid before the house a letter from the secretary of war, transmitting a report of the quarter master general, with sundry statements of the sums claimed and paid to Col. James Johnson, for transportation of the troops ordered up the Missouri river: rendered in obedience to the resolution of the 24th ult. adopted on the motion of Mr. Cocke.

These communications were severally ordered to lie on the table.

Mr. Anderson, from the committee on the public lands, made unfavorable reports on the petitions of the trustees of the Ohio University, and of George Thompson; the first of which was ordered to lie on the table, and the last read and agreed to.

The engrossed resolution authorizing the publication of the secret journal of the congress of the old confederation, from the treaty of 1782 to the formation of the present constitution, was read a third time.

A debate, of nearly two hours length, arose on it, (of which a sketch will be shortly given,) which resulted in a commitment of it to a select committee, for further consideration.

The house spent some time in committee of the whole, on the Missouri bill. Mr. Randolph spoke for some time, in continuation of the argument he commenced yesterday. When he concluded, the committee rose, on motion of Mr. Hardin, who is, according to usage, now entitled to the floor; and

The house adjourned.

### Laws of Kentucky.

AN ACT

To regulate sales of Property under execution Approved February 11, 1820.

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That when any execution may have issued, or shall hereafter issue, on any bond having the force of a judgment, or any judgment or decree, either from the office of a court or a justice of the peace, it shall be lawful for the plaintiff, his agent or attorney, or for the clerk or justice of the peace, in pursuance of any order or memorandum to that effect, to endorse on such execution or any order of sale, in substance, that "notes on the bank of Kentucky or its branches will be taken in discharge of this execution;" and when such endorsement shall be made, it shall be the duty of a clerk or justice of the peace to certify the same on each and every execution that may hereafter issue on said judgment, decree, or bond having the force and effect of a judgment.

§ 2. When an execution is endorsed as aforesaid, and an officer shall have levied the same on the body or the estate of the defendant, it shall be lawful for the defendant to replevy the same for one year; but if the defendant do not replevy the same, the estate so taken in execution shall be sold on a credit of one year for what the same will bring, the purchaser giving bond with approved security to the plaintiff in the execution, for the payment of the purchase money, with interest thereon, at the end of one year from the date of the sale.

§ 3. All replevy bonds, and bonds taken for the purchase of estate under the provisions of this act, shall have the same force and effect as replevy bonds and bonds taken for the sale of estate under existing laws.

§ 4. On all executions which may issue in virtue of any recognizance, replevy bond, or bond given for the purchase of any estate, when such recognizance or bonds are taken under the provisions of this act, the clerk or justice of the peace shall endorse "no security of any kind is to be taken."

§ 5. All estates taken or held under any execution, or warrant to distrain for rent, or estate taken under any attachment and ordered to be sold, shall be sold or replevied in the same manner as estate taken under writs of fieri facias, according to the provisions of this act.

§ 6. If the plaintiff in any execution, order of sale, distress warrant or other process, shall fail or refuse to make the endorsement thereon as authorized in the first section of this act, the defendant may replevy the debt for two years, upon his giving bond and approved security; otherwise the estate as taken shall be sold on a credit of two years, and the purchaser shall execute bond with approved security to the plaintiff, for the payment of the purchase money, with interest thereon from the date.

§ 7. On judgments or decrees heretofore rendered, or hereafter to be rendered, it shall be lawful for the defendant, at the time at which judgment may be entered, or at any subsequent time, if an execution be not then in the hands of the sheriff or other officer, against him, to appear before the court or justice of the peace who rendered the judgment, with one or more good securities, to be approved by the court or justice, as the case may be, and then and there execute a recognizance in substance as follows:

"I, the defendant A E together with C D his security, came in to court (or before me J. P. if before a justice of the peace) and undertook that they would pay and satisfy E F the full amount of his judgment and costs, amounting to \$ rendered in his favor against the said A B by this court (or by me, if before a justice of the peace) within one year, with legal interest on the whole amount thereof from this date;" which recognizance shall be signed by the parties if taken before a justice of the peace; and on the entering into recognizance, all further proceedings shall be stayed until the expiration of the time of payment therein mentioned; and after the expiration of such time, execution may issue on said recognizance in the like manner, and with the like force and effect as on a replevin bond; *Provided, however,* That if the plaintiff shall not have made, or caused to be made, a memorandum to receive "notes of the bank of Kentucky or its branches," in discharge of his judgment or decree, such recognizance shall be taken, payable at the end of two years instead of one. The clerk or justice of the peace shall have the same fee for taking the recognizance, as they would have been entitled to for issuing an execution.

§ 8. *Provided always,* That nothing in this act contained shall be construed to extend to any executions or any judgment recovered against the sergeant of the court of appeals, any sheriff, coroner, constable, or any collector of revenue, county levy, town tax or officer's fees, for any money collected by him or them; nor to any execution on a judgment recovered against an attorney at law for money received by him for his client, or recovered against a principal by his security, or by the principal sheriff against his deputy, or recovered against any public debtor; *And provided also,* that where any execution issued on a replevin or forth-coming bond, or bond given for the sale of property, shall be replevied, the sheriff or other officer shall charge no commission on replevying such execution, but shall be entitled to his fee for taking the replevy bond only.

§ 9. Where such recognizance shall not have been entered into before the court where any judgment or decree is rendered, during the term at which the same was rendered, no execution shall issue until ten days after the rising of the same, unless for good cause shown it shall be otherwise ordered by such court. And no execution shall be issued by any justice of the peace until after ten days from the day of rendering such judgment, unless for like cause shown to such justice, which he shall note on the minute of such judgment. He shall order that such execution may issue sooner, to the end that any defendant or defendants may enter into such recognizance with security; and the clerk of any court wherein any judgment or decree shall be rendered, shall have full power and authority, and it shall be his duty to take such recognizance with security, to be approved by him, changing the form thereof, so as to show that the same was entered into before him; which recognizances, so taken, shall have the same force and effect, and may be proceeded on in the same manner as if taken in court; and such clerk shall be entitled to the same fee for taking the same.

§ 10. This act shall commence and be in force from and after the 16th day of February, 1820; and shall remain in force until the 1st day of March, 1821, and no longer; *Provided, however,* that all rights accruing under this act, prior to the said first of March, 1821, shall remain valid, and may be enforced at any time after said day, in the same manner as if this act remained in force.

### AN ACT

To repeal the act entitled "An act to establish Independent Banks in this Commonwealth," and an act supplemental thereto

WHEREAS, in the 11th article of the constitution of Kentucky it is declared, first, that all free men, when they form a social compact, are equal, and that no man or set of men, are entitled to exclusive, separate public emoluments, or privileges, from the community, but in consideration of public services; and secondly, that all power is inherent in the people, and all free governments are founded on their authority, and instituted for their peace, safety and happiness: *And whereas,* it is self-evident, according to those fundamental principles of government, that all laws which grant, to a few, the power to oppress the many, are tyrannical in their nature, and adverse to the primitive rights of the people, and therefore repealable by the supreme authority: To say that a sale of the primitive rights of the people, by the legislature, is to be perpetual and unalterable, because there is a contract in the case, is to declare that error and abuse of power may consecrate themselves. Fraud vitiates all contracts: To effect the intention of the parties is the object of all laws regarding contracts: That a privilege granted, shall be used for the destruction, or even to the disadvantage, of those who granted, never could be the intention of the parties. All legislative power is derivative; proceeds from the people, and is to be used for their prosperity and happiness only; consequently, all laws of a contrary tendency, violate the intention of the social compact; and are subject, upon first principles, to the condition of being repealed, whether the evil spring from the nature of the privilege granted, or contract entered into, or from the abuse of either. A bank charter, from its nature, extends, and necessarily confines the powers and privileges granted, to the few, to the exclu-

sion of the many. It therefore follows, as an unavoidable conclusion, that if the powers and privileges granted in a bank charter operate against the public good, the people by their legislature have the primitive right to revoke such charter. To the end then, that the good people of this state be delivered in future from the baneful effects of the power and privileges granted by the law establishing Independent banks, in this commonwealth, which have been exercised in many instances in the plenitude of tyranny, oppression, and abuse, to the great injury of the good people of this state—

Sec. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That all power, right or privilege, granted to the corporations established by an act entitled "an act establishing Independent Banks in this commonwealth," approved January twentieth, one thousand eight hundred and eighteen, and an act entitled "an act supplemental to the act establishing Independent Banks in this commonwealth" approved February third, one thousand eight hundred and eighteen, to deal and trade in discounts, bills of exchange, or current money, or to issue notes or bills of credit, payable to bearer or otherwise, shall be, and the same are hereby repealed and revoked from and after the first day of May next, and all other power, rights and privileges granted to said corporations in said recited acts, are hereby repealed and revoked, from and after the first day of January, one thousand eight hundred and twenty three.

Sec. 2. *Be it further enacted,* That any person or persons, who may act as president, director or other officer of any Independent Bank in this state, contrary to the provisions of this act, shall be subject to all the penalties, fines and forfeitures imposed by an act to suppress private associations for the purpose of banking, approved February eighth, one thousand eight hundred and twelve, which penalties, fines and forfeitures may, and shall be imposed, recovered, collected and distributed according to the provisions of the said recited last act.

Sec. 3. *Be it further enacted,* That the bonds required from the Independent Banks for the privilege of banking for the year one thousand eight hundred and twenty, shall be, and the same is hereby repealed.

Sec. 4. *Be it further enacted,* That so much of the act to incorporate Sanders Manufacturing Company, which passed the 31st day of January, one thousand eight hundred and eighteen, and the supplemental act thereto, approved February third, one thousand eight hundred and eighteen, which gives the said company banking privileges, shall be, and the same is hereby repealed; and the second section of this act is hereby made applicable to the persons who may have the management of the said manufacturing institution.

From the Rhode Island American.

Duel Extraordinary.—The following may be relied on as a "true story," which may, perhaps, furnish some valuable hints for improvement in the mode of conducting duels:

A duel was fought in Dedham (Mass.) on the 13th instant, in which one of the parties fell; the other immediately left the place. As this event, and the previous arrangements, show an improvement in the summary process of settling disputes between honorable men, we insert the challenge and acceptance, and also a brief account of the issue:

"JANUARY 13, 1820.

"Sir—From the many insults received, and tempts made on my life by you, I cannot rest easy until I get satisfaction; and as I am about leaving Dedham, it does not hurt my feelings (though mean indeed) to fight a barber. So I shall expect to meet you in half an hour from this time, at the back of Mr. C's shop, when you shall be met by —

"Half past 5, P. M."

ANSWER.

"Mr. So—Your challenge is accepted. I will meet you at the time and place appointed. My life, my honor shall pay, or yours shall be my sacrifice."

The parties met with their seconds,

and proceeded according to the laws of honor in such cases provided. It was in the midst of the village, but the darkness covered the scene from the view of all but the actors. The challenger discharged his pistol, and, not perceiving that it had taken effect, he immediately called his second to load it again—not waiting for his antagonist's fire. But he soon perceived that a second shot was unnecessary. His antagonist faltered and fell, and was borne away by his friend and others, whom the alarm had brought to the fatal spot.

Neither party had an accompanying surgeon; but as there were four residing within twenty rods of the field, no injurious delay could have resulted. But it was immediately found that the fallen victim could not be assisted by surgical skill. His murderer had fled, and has not yet been found.

And now the night extends her awful shade, The darkness parts them—be the night o'bed!

But "soon as the rosy morn had waked the day," it was discovered to be a mere farce. The person challenged, and the seconds, had contrived the irony, and nothing but powder had been wasted in the battle. But the challenger hastened his departure, verily believing that he had killed his man—while the party challenged showed himself in full life, and the frightened neighbors hailed his appearance as the Trojan bands did the return of Hector from his combat with Ajax.

Their present triumph as their late despair.



# Kentucky Gazette.

THREE DOLLARS PER ANNUM—IN ADVANCE.  
LEXINGTON: FRIDAY, FEBRUARY 18.

## MISSOURI AND MAINE.

Our readers, by referring to the congressional head, will see the vote in the Senate of the United States, on the question of restriction, which has been so long and so warmly agitated throughout the nation. The sweeping majority in that body against the attempt to trammel Missouri, must convince the friends of the measure that they cannot succeed, and magnanimity, if nothing else, should induce them to yield their opposition. The National Intelligencer has commenced publishing the speeches delivered on the occasion. They are so lengthy and voluminous as to preclude them from insertion in our columns. We contemplate giving extracts occasionally. Mr. PIERCE, of Maryland, and Mr. BARNETT, of Virginia have been the most distinguished orators. Col. R. M. JOHNSON, of this state, closed the debate.

It seems to be still uncertain how the subject will be disposed of in the house of Representatives. We discover one favorable symptom for Missouri in our last dates. At the early part of the session, Mr. HOLMES, from that part of Massachusetts which will be comprehended in the new state of Maine, avowed his intention of supporting the restriction of slavery west of the Mississippi, if by doing so he should even fail to get Maine incorporated into the Union. But on the 27th of January we find this gentleman occupying the floor in opposition to the restrictive provision. If his colleagues pursue the same course, Missouri will unquestionably be admitted this winter on a footing with the original states.

By advertising to the subjoined list, it will be seen that WILLIAM T. BARRY, Esq., long known for his public services, sterling republican principles, and superior talents, is a candidate for the office of Lieutenant Governor.

## CANDIDATES.

### FOR THE CHIEF MAGISTRACY.

ANTHONY BUTLER,  
JOHN ADAMS,  
WILLIAM LOGAN,  
JOHN EMMERSON,  
JOSEPH DESA.

### FOR LIEUTENANT GOVERNOR.

WILLIAM T. BARRY,  
JAMES JOHNSON,  
WILLIAM B. BLACKBURN,  
ROBERT EWING.

\*Rumor says we think with plausibility, that the government engagements, into which Col. James Johnson has entered, will necessarily require his absence from the state; and that, in all probability, he will be under the necessity of withdrawing the tender he has made of his services.

## MILITARY PUNISHMENT.

Col. KIRK, of the United States army, has been suspended, by a general court martial, from his pay and command for five years. It is not yet known whether the president of the United States will confirm the sentence of the court. The charges exhibited against this officer, if true, were of a character that demanded the severest punishment. The prominent one was the order he issued to shoot all deserters who might be found in Florida, without even the form of a trial. Of this he was found guilty.

On Monday evening last the Kentucky Legislature adjourned sine die. Independent of the two acts published in this day's Gazette, several important measures were adopted. Among the most prominent of these may be reckoned the law placing deeds of trust upon the same footing of mortgages; the extension of the prison bounds to the limits of the respective towns—the reduction of damages on protested bills of exchange—the final adjustment of the boundary line between this state and Tennessee—and the endowment of the medical department of our University.

## Washington's Birth Day.

On Tuesday next the 22d inst. an Oration will be pronounced in the Chapel of the University, at 11 o'clock, by CHARLES S. MORREHEAD, in honor of the BIRTH DAY OF GEORGE WASHINGTON.

And at the same place, JOSEPH C. BARNETT, Esq., will deliver a Discourse adapted to illustrate the connection of the occasion with the interests of learning and of the University.

JOHN ROWAN, Esq., has resigned the office of Judge of the Court of Appeals, and BENJ. MILLS, Esq., is appointed his successor.

SAMUEL M'KEE, Esq., has resigned the office of Circuit Judge, and HENRY DAVIS, Esq., is appointed to succeed him.

The Pennsylvania Legislature has set an example to her sister states in abolishing entirely the barbarian practice of imprisoning for debt. Laws to incarcerate unfortunate debtors are unbecoming a free and magnanimous people.

We are not enabled to cull from the last eastern mails any interesting items of foreign news. Letters have been received from Gibraltar as late as the 25th November. There have been some changes in the ministry at Madrid. Lozano Torres, the minister of Grace and Justice, has been dismissed, and it is thought will be sent into banishment. This step, according to conjecture, was prompted by the Duke of San Fernando, because of Lozano's great exertions to procure the Duke to be sent out to this country as the successor of Don Onis. The Marquis of Mota Florida succeeds Torres; and Gen. Veves will come to the United States as the representative of his Royal Master. His movements, however, are

very slow. Onis is certainly under the displeasure of the King, though not yet officially disgraced. One of the letters mention that an overture has been made "by the Portuguese government to the King of Spain, that if he will establish his brother Charles in Buenos Ayres, to form an adequate government, they will not only renounce their claims to Olivenza and the \$1,400,000 due them, but will assist with all their forces towards his establishment."—The fate of the proposition is not yet known.

## Extract to the Editors, dated

FRANKFORT, FEB. 12.

The efforts for relief have resulted in a reply for twelve months: if the party cannot reply, the estate under execution to be sold on a credit of twelve months. In the detail of the bill many important regulations will be found calculated to save costs. Another measure putting deeds of trust on the footing of mortgages it is believed will be found an efficient measure of relief, as much valuable property, and deeds of trust, would have been sacrificed for forced sales for cash. A bill to issue a million of script on the faith of the lands west of Tennessee river, is now in progress in the senate; it is doubtful whether it will pass, and somewhat problematical whether it will answer the purposes contemplated by its friends. It will do no harm to make the experiment. The session is near its close. It has been an important one. Subjects have been acted on of the first moment. From their nature it was often necessary to discuss first principles, and to enter on the wide field of debate. This afforded an opportunity for gentlemen of both houses to display their powers. It is a matter of regret that some of the most able and eloquent speeches are lost to the public for the want of a stenographer. They will be recollected by the auditors, and will tend to elevate the character of those who have distinguished themselves; but not in a degree equal to their merit. But few will undertake to write their speeches—indeed the ablest arguments and finest specimens of eloquence, were provoked in debate, and delivered under the operation of that powerful influence, that are calculated to call forth the exertions of genius; and which the speaker himself, when the excitement is over, would be unequal to. A good stenographer would be a great acquisition at Frankfort. Those gentlemen that have occasionally attempted a sketch of the debates, have not leisure to do that justice they are capable of. It requires a peculiar fitness of mind, great experience and devotion to the employment, to succeed in it.

The repeal of the Independent bank charters—the endowment of the Medical college—the question about the boundary line between this state and Tennessee—the embarrassed state of the country, and the measures for the relief of the people, gave rise to such discussion in both branches of the legislature, and called forth the powers of the ablest members. The talents displayed on those occasions, would have done honor to the legislative councils of any state. It is to be regretted on one account, more particularly that these debates have not been published; they would have thrown much light on the subjects, and given to the public the reasons on which the important measure of the session were vindicated and opposed; and would have enabled the public to have decided as to their propriety or impropriety, with more justice and impartiality.

## PROHIBITORY DUTIES.

Treasury Department,  
27th January, 1820.

SIR—In obedience to a resolution of the house of representatives, of the 4th instant, directing the secretary of the treasury, "to inform the house what reduction, in his opinion, it will make in the revenue, if the importation of cotton and woolen manufactures, and iron, be prohibited, and in what manner the revenue may be supplied, should the prohibition be made," I have the honor to submit statements of the amount of revenue which accrued from those articles, from the year 1815 to 1818, inclusive.

The very great difference in the amount of revenue which accrued during those years, renders it difficult to determine what the reduction would be, should the prohibition be enforced. It is probable that the deficiency, for a number of successive years, would amount to the average sum of six millions of dollars.

If an increase of the rate of duty would necessarily augment the revenue in the same proportion, the deficiency might be readily supplied. But reason and experience forbid the expectation of such a result. The importation of foreign merchandise is regulated by the capacity of the importing country to pay an equivalent for them. Any increase of duty diminishes this capacity. When carried to an extreme, it amounts to prohibition. But the revenue will frequently be diminished by an increase of duty, when the consumption of the article is not diminished. Whenever the duty is raised so high as to equal the risk incurred by an attempt to introduce dutiable articles illicitly, smuggling, upon an extensive and systematic plan, commences. In that case, not only the consumption, but the capacity to pay for them, may be increased, whilst the revenue might be diminished.

Considering the facilities which the extent of our coasts and frontiers, and the numerous harbours, bays, inlets, and rivers, by which they are indented, furnish for the illicit introduction of foreign merchandise, the settled

policy of the government has been to diminish, as far as practicable, the temptation which high duties would furnish to take advantage of these facilities.—Should the existing duties be considerably raised, there is just ground to apprehend that the revenue would be reduced, rather than augmented, by the change. Indeed, there is just reason to believe, that, with the present rate of duty, the practice of smuggling is gradually increasing. Any attempt to raise the deficiency which will be produced by the prohibition under consideration, by an increase of duty upon the articles which will still be imported, will greatly increase the expense of collection, by the necessity which it would create to employ a greater number of officers of the customs, to guard against smuggling, and eventually fail to augment the revenue to the required extent. The principal reliance for supplying the deficiency which would be produced by the adoption of the measure contemplated by the resolution, must, it appears to me, be placed in a system of internal duties, or direct tax.

In aid of either of these modes of augmenting the revenue, a small addition might be made upon the rate of duty now paid upon linens, manufactures of hemp, stuff goods, coffee, brown sugar, teas, wines, molasses, spices, and all other articles. If a system of internal duties should be deemed at this time advisable, an entire prohibition of ardent spirits might be adopted, without material injury to the revenue, and with manifest advantage to the agricultural interest. In that event, the revenue, which has been heretofore received from the duties imposed upon foreign spirits, might be collected from domestic spirits.

I have the honor to be, your most obedient servant.

WM. H. CRAWFORD.

Hon. Speaker of the  
House of Representatives.

The following gentlemen have been appointed Directors of the Branch of the United States Bank in Washington City, for the ensuing year—viz:

George Graham, William Wirt,  
John Taylor, Philip Stuart,  
Edward W. Du Val, R. C. Weightman,  
Newton Keene, Anthony C. Casanova,  
John Peter, Chas. J. Gallett,  
Henry Foxall, John Laird,  
Joseph Gales, Jr.

And at a meeting of the Board of Directors on the 1st inst. George Graham, Esq., was re-elected President thereof.

## NEW YORK, FEB. 1.

The United States ship Cyane, of 32 guns, capt. Trenchard, is expected to sail this day, taking under convoy the ship Elizabeth, Secor, from this port, having on board about 70 people of color, and we understand, one or two other vessels from the Chesapeake, destined to the coast of Africa, with the first division of colonists sent out by the American Colonization Society, to form a settlement on that coast. It is said the neighborhood of the river Gallimar is fixed upon for the settlement.

## HARRISBURG, (PENN.) JAN. 27.

In haste I inform you that the act for the relief of Insolvent Debtors has this moment passed the senate, and on my wants the signature of the governor to become a law, which undoubtedly it will receive to-day or to-morrow. I have not time to enumerate its provisions as the mail is about closing. But no debtor shall be imprisoned who can give security for his appearance at court, and delivers his effects for the use of his creditors.

## RICHMOND, JAN. 26.

The clerk in the United States Bank of this city, who has been concerned in the malversation of its monies, was the first teller of that branch, a young man who had heretofore borne a fair and most respectable character; in a word, Mr. James D. Allen. It is said that he denies having appropriated any part of the monies to his own purposes; but that he allowed others to draw it on their check; and that he represents himself as having been duped by their promises and played upon in a variety of ways, to betray the trust that was reposed in him. Rumour is, as usual, busy in conjecture. The amount of the deficit has been canvassed;—but the calculation varies from 20,000 to 60,000 dollars. General opinion seems to incline to be a larger sum.—The amount excites as much surprise, as the commission of the act itself inspires deep and deserved indignation.

## From the National Intelligencer.

The following letter, copied from the Boston Patriot, is one of the several we have seen, of the same import, published in the cities east of us. We are personally ignorant of the circumstances so freely referred to in this letter. It is generally true, however, and it may be true in the present case, that where there is much smoke, some fire may be found.

Extract of a letter from Washington, received in Baltimore, dated January 13.

"The enigma is understood to be solved. Great pains have been taken to separate Pennsylvania from the Southern interest, but without success. So long as the parties were denominated Federal and Republican, Pennsylvania was immovable. A new division of parties has been believed practicable; and the prime movers believe that they have, at last struck on the right key; that they can create a sectional division of parties—their denomination is not yet determined. On sectional names may be dangerous. They will, no doubt, find proper names, when ripe for action—Pennsylvania is the pivot. If that great

state can be brought to act with the Northern interest, Ohio will follow. "The Missouri question operates powerfully on the feelings, the passions, and prejudices of Pennsylvania. That question, it is fondly believed, will effect a separation of the great state from the Southern interest. A division, to include all the states north and east of Maryland, (with Ohio) give a decided majority at future Presidential elections.

There are no parties so dangerous to the integrity of the republic, as those formed by a geographical line. The consequences I dread to look at, or to think of."

## SOUTH AMERICA.

Translated for the Savannah Patriot.

## BULLETIN OF THE BATTLE OF BOYACA.

At break of day yesterday, information was given by our advanced guards, that the enemy were marching towards us by the road of Samaca. The army was immediately got under arms; and, after finding that his intention was to pass over the bridge of Boyaca, in order to open a direct communication, and place himself in contact with the capital, we marched by the principal road to prevent them, or force them to fight.

At two o'clock, P. M. the first division of the enemy were reaching the bridge, when our cavalry were presented to their view. The enemy who had not yet been able to ascertain our force, and who thought that those who opposed him were but a reconnoitering party, attacked us with their *casadores*, in order to put us out of the way of the road, that their army might pursue their movement. Our division hastened their march; and, to the great surprise of the enemy, all our infantry obtained an elevated position—far better than that of the enemy. The enemy's vanguard had ascended part of the road, pursuing our reconnoitering party, while the rest of their army were about two-thirds of a mile further down, which appeared to consist of about 3000 men.

The battalion of *casadores* of our vanguard, separated one of the enemy's companies, in a skirmish; and, with the remainder, in a column, we attacked the enemy's *casadores*, and obliged them to retreat to a thicket from which they were soon afterwards dislodged. The enemy passed the bridge, and took a position on the other side—meanwhile all our infantry were descending, and the cavalry were marching down the road.

The enemy attempted a movement from the right, which our English company, and that of rifles, opposed. The battalion, first of Barcelona, and Bravo de Peax, with the squadron of cavalry, marched in the centre. The battalion of Linea de Nueva Grenada, and the *Gueros* of our rear, united the battalion of *Casadores*, and formed on our left. The column de Turesa, and the column de Socorro remained reserved.

The battle now commenced on every point of our lines. Gen. Anzuategui directed the centre; and on the right he attacked a company which had separated from the body of the enemy's force, and obliged them to retreat. The enemy had formed a column on an elevated position, with three pieces of artillery in the centre, and a division of cavalry in their right and left—in this position they waited for our approach. The troops of our centre regardless of the fire which came from the left flank of the enemy, attacked their principal force. The enemy made a terrible fire, but our troops, with the most prompt movements, and executed with most strict discipline, involved all the body of the enemy's force. The battalion of Ura Ambo, pressed forward with their usual valor, and from that moment all the efforts of the Spanish general proved ineffectual. The enemy lost their position. A company of mounted Spanish grenadiers, was the first who cowardly left the field of battle. Their infantry endeavored to re-assume another position, but that project was instantly destroyed. A company of cavalry, which had been reserved in their rear, was now waiting our approach, but these were soon destroyed with our cavalry, with their lances; and in fact, the whole of their force was now in complete disorder, and surrounded on every side by us; and having a great slaughter, they now gave up their arms and themselves prisoners. At the same time, general Santander, who directed the operations on the left, and who had found a strong resistance on the enemy's vanguard, which he only had opposed with the company of *casadores*, charged with the battalion of Lemor, and that of Guais of the rear, he crossed the bridge and finished the victory.

All their forces were now in our power. General Barreyro commanding general of the army of New Grenada, was taken on the field by a private named Pedro Martinez, of the company of rifles. Col. Xemenex, second in command, was also taken prisoner. Nearly all their officers, and upwards of sixteen hundred privates; all their ammunition, artillery, cavalry, &c. were taken. There scarcely escaped 50 men—among them are some chiefs and officers of artillery, who fled before the action was ended.

Gen. Santander, with the vanguard, and the company, Guais of the rear proceeded from the field in pursuit of those who had fled and arrived here; and Gen. Anzuategui, with the remainder of the army, remained on the field. The advantages this republic has obtained, by the glorious victory gained yesterday, are incalculable. Our troops had never before triumphed in a more decisive manner; and but very few times had fought against troops so well disciplined, and so well commanded.

Nothing equals the intrepid manner in which Gen. Anzuategui, at the head of two battalions, and one squadron of cavalry, attacked and conquered the principal force of the enemy—to him we owe, in a great measure, the victory.—Gen. Santander directed his movements with dexterity and firmness. The battalion Bravo de Peax, and first of Barcelona, and the cavalry of Ura Arriba, fought with admirable valor.

The column de Turesa and that of Socorro, joined our right, at the conclusion of the battle. In fine, his excellency is highly satisfied with the conduct of all the commanding officers and private soldiers of the army in this memorable action.

Our loss is 12 dead, and 53 wounded; among the first are the lieutenant of cavalry, N. Periz, and the rev. P. F. Miguel Dias; and among the latter are Miguel Scott, Jos. Rasau de las Heras, capt. Johnson, and lieut. Rivero.

Signed,  
C. SOUBLETT, chief.

## From the Detroit Gazette.

## THE SUPREME COURT.

We have been informed by several respectable citizens, that the gentlemen who compose the Supreme Court of this territory, have recently, in their capacity as judges, held a number of their sittings in the night time, at an obscure place, occupied and rented by the clerk of the court for an office, where no person has a right to enter and remain as a spectator to the proceedings of the court, unless by the consent of the occupant. We have also been informed that no reason has been given to the public to excuse such extraordinary proceedings. It is well known that the Council-House has been heretofore the place of holding the sessions of the Supreme Court, and that its proceedings have generally been conducted in the day time. What inducement the court had to make such a material alteration in their hours of business, we have been unable to ascertain. It is acknowledged, however, with mortification, that the procedure is justly lamented by our worthiest citizens, as calculated to deprive many of the laudable curiosity of witnessing the proceedings of the Supreme Court, as well as to lessen the dignity of, and the public confidence in, that highly responsible tribunal.

## Married.

On Monday evening last, by the Rev. Dr. Cloud, James Strode Esq. of Winchester, to Miss. Mary Parrish of this place.

## A BALL.

Will be given at Mr. S. KEEN'S Hotel, on Tuesday evening the 22d instant, in commemoration of the Birth of Washington.

Charles Wilkins, B. W. Dudley,  
E. Warfield, M. J. Norvel,  
John Telford, W. A. Leary,  
R. Hayes, Jr., Franklin Trotter.  
Lexington, Feb. 18.

## Washington's Birth Day.

THE members of the LEXINGTON LIGHT INFANTRY COMPANY, are hereby ordered to meet at the Arsenal, at ten o'clock, on the 22d inst., for the purpose of firing a salute in honor of the Father of American Independence.

By order of Capt. LESLIE COVENS,  
ANTHONY GAUNT, 1st. Serg't.  
February 17th, 1820.

## ATTENTION!!

THE members of the Lexington Light Infantry Company are hereby required to parade on Tuesday the 22d of February, at 10 o'clock A. M. completely armed and equipped, with 22 rounds of blank cartridges.

Place of parade the upper Market-house. By order of Capt. J. G. TROTTER,  
J. W. PARKER, Ord. Ser'gt.  
N. B. Blue pantaloons have been substituted for the white pantaloons and knee bands. It is hoped that every member will appear on parade in the established uniform.  
February 16, 1820.

## Notice.

FROM this time my business will be done FOR CASH ONLY, being determined to close my business in this place as soon as possible. I expect those indebted to call and settle their accounts.  
GEORGE HAY.  
Lexington, Feby. 16th—7-3t

## Ten Dollars Reward.

RAN AWAY from the subscriber on the 3d of January last, a NEGRO MAN, named CHARLES, about 25 years of age, about 5 feet 7 inches high, of a dark complexion, rather a down look, a scar on the side of his face, had on when he left the subscriber a blue cloth coat, grey pantaloons. Any person apprehending and delivering said Negro to me, one mile from Shaker ferry, in Jessamine county, shall receive the above reward.  
JOHN HAWKINS.  
February 8, 1820—7a9

## 20 Dollars Reward.

BROKE out of my enclosure in Lexington, on Monday the 24th ultimo, A Large Bay Horse. About ten years old, sixteen hands high, has a star in his forehead, and a snip on his nose, and as well as I can recollect, has a small blemish in one of his eyes; one white foot, and I believe has a brand of an R on the buttock.—He trots pretty well, but paces roughly. He is remarkably gentle, and there is little doubt but he has been taken off by some villain. Whoever will detect the thief, and deliver him over into the hands of justice, shall receive the above reward, and for the horse alone shall have Ten Dollars reward, and all expenses paid.  
ROBT. A. GATEWOOD.  
Lexington, Feby. 9, 1820—6

## Green River & Missouri LANDS.

WILL be given in exchange for MERCHANDISE, on such terms as will make it a profitable investment. Apply to  
LESLIE COMBS,  
Lexington, or  
ALEXANDER POPE,  
Louisville.  
Jan. 21—3-3p

## Rope-Making Business.

THE subscribers having rented Mr. Hart's Rope Walk for a term of years, with the intention of carrying on the

## Rope-Making Business.

In all its various branches, they will give the highest price in CASH for HEMP, delivered at mid Walk, where RAIL ROPE, CABLES and TARRED ROPE, of all descriptions, may be had on the shortest notice, warranted of equal quality to any manufactured in the United States. They wish to purchase a quantity of TARR.

MORRISON & BRUCE,  
Lexington, Jan. 15, 1820—tf

## Cash for Mustard Seed.

The subscriber gives the Highest price in Cash, for clean Brown MUSTARD SEED, Which he Manufactures in the best manner for Table use.

FARMERS will find it their interest to preserve the seed, and the public in patronizing

N. PRENTISS.

N. B. Cash for empty Mustard Bottles.  
Lex. Feb. 4—5-6m—82

## The Co-partnership.

HERETOFORE existing under the firm of KEHOE & SWIFT, was dissolved on the first day of February instant, by consent of parties. All persons having unsettled accounts with the firm, are requested to present them to WILLIAM SWIFT, who is solely authorized to close the business of the concern.  
SAMUEL KEHOE.  
WILLIAM SWIFT  
February 10, 1820—6-3t

## WILLIAM SWIFT.

HAVING purchased the interest of SAMUEL KEHOE, in the TALLOW CHANDLERY ESTABLISHMENT, respectfully informs the public, he will carry on the business at the same stand, where he hopes, by strict attention and punctuality to their respective commands, to merit and receive a share of their patronage.  
6th February 11, 1820.

## Notice.

THE firm LOWRY & CLARK is this day dissolved by mutual consent, all those indebted are requested to come forward and settle accounts, or else they will, without reserve, be put into the hands of an officer for collection.  
JOHN LOWRY,  
WM. CLARK.

THE BUSINESS HERETOFORE, WILL BE CONDUCTED BY

J. Lowry, W. Clark & T. W. Lowry, UNDER THE FIRM OF John Lowry & Co.

They have always on hand, HATS of the newest fashion, which they will sell upon the usual terms.  
January 1, 1820—2tf

## Strayed or stolen.

FROM the subscriber, a BAY HORSE, about 14 hands high, tolerable heavy built; he is foxed and roached. Any person bringing said Horse to me, shall receive a reward of \$5 dollars.  
DAVID WEIGART.  
Lex. Feb. 9th, 1820—6-8

## To Parents.

A YOUNG Gentleman wants a situation as a TUTOR in a private family who is capable of teaching Reading, Writing, Geography, Arithmetic, Grammar, History &c. A situation in the country in the family of a legal gentleman, where he could have access to a Library, and receive for his services (in part) legal instruction, would be preferred. He would not, however, have any objection to teaching of a school in the country. Unquestionable credentials to satisfactorily prove his capacity and his character will be produced. Apply to the printers.  
Feby 3d, 1820—6-3t

## 50 Dollars Reward.

RAN AWAY from the subscriber formerly residing near Bryant's Station, Fayette county, on the 6th of April last, A Negro Woman named Sal, About 25 years of age, tall and well made—her color approaching nearly to a brown—has an opening in her upper fore teeth resembling having lost one, has a scar in her face, in what part not recollected. She has been seen in the neighborhood of Mr. Wm. Dunlap's, who owns her husband. I will give the above reward if taken out of the state, and securing her in any Jail, and giving information to me living near Hardinsburgh, Breckenridge county, or to Moses S. Monroe, in Frankfort, Wm. MONROE.  
February 11, 1820—6-3

## Auction and Commission House, Cheapside.

## JAMES ANDERSON & CO.

HAVE succeeded SHREVE & COMBS in the above business. They will pay the strictest attention to SALES & AUCTIONS, and will exert themselves to effect a speedy disposition of such Goods as may be entrusted to them on consignment.

THEY HAVE NOW ON HAND FOR SALE,  
20 TONS SWEDISH IRON, assorted  
COFFEE, by the barrel  
HERRINGS, by the barrel  
Dates, Prunes and Cigars, by the box  
1-2 Pint Tumblers, by the box  
Wire Sifts, assorted  
Files, assorted  
HARDWARE, assorted  
Setts Liverpool Dining Ware  
Writing Paper & Irish Quills  
Rice, by the barrel  
Candles, Transparent Windsor and Rosé  
SOAP, by the box  
BRANDY, by the keg  
J. Spirit, N. E. RUM, and WHISKEY  
Lexington, Feby. 25, 1820—4-2t

## COLOGNE WATER.

500 Bottles of this admirable water, just received and for sale by JAMES M. PIKE, who considers no other recommendation necessary than to assure the public that it is of the genuine French importation.  
Cheapside, No. 7, July 21—3off

## JUST RECEIVED,

TO GOOD best Havana Cigars IN HALF AND QUARTER BOXES.

ALSO,  
12 Doz. HAIR NETS, and  
120 Pieces Fancy RIBBONS, to which the attention of the Milliners is particularly invited.  
M. J. NOUVEL.  
Lex. Dec. 10, 1819—50-4t



## Poetry.



FOR THE KENTUCKY GAZETTE.

O had we met in happier day,  
When love was young, and love was new,  
When no rude barriers crossed my way,  
To blast my fondest hopes in view.

O had we met in happier clime,  
Where wealth contended not with love;  
Then I had lov'd and called thee mine,  
And ne'er had known thy chilling love.

But I have lov'd alas too late;  
I've seen thee but to love and part;  
I saw thee, lady, most ingrate,  
To love—to weep—to break my heart.

And lady, lady, must I tell;  
So soon that here I bid adieu;  
Or, that I sadly bid farewell  
To her I lov'd and lov'd so true.

O lady say, what sins are mine,  
That I deserve thy scourge severe,  
Thou to be driven from thee away!  
Is it because I lov'd sincere?

Or do I sin because I'm poor,  
And cannot roll in splendid state;  
Like those whose glittering golden lore,  
Gives them the name of good—of great.

But, be it so—I'll not repine,  
Altho' I'm stung and stung with scorn;  
But to my fate I'll now resign,  
And leave this scene for brighter morn.

Far in some deep sequestered wild,  
Where woman ne'er was known to be;  
I'll lay me down full calm and mild,  
And tune my Lyre in praise of thee.

And while around my lonely cell,  
My little flocks their tricks shall play,  
On charms of \*\*\*\*\* I will dwell,  
And haste the lingering time away.

Till many a moon her course hath run,  
And time hath marked my brow with age;  
Till youth is o'er and I have done,  
And play'd my part upon this stage.

And when grim death his trump shall sound,  
And me to distant worlds convey;  
Then will I calmly lay me down,  
And to his summons quick obey.

And lady, shouldst thou ever rove,  
With much lov'd friends by Cynthia's light,  
Along the dark and lonely grove,  
Where oft may rove my sheeted sprite.

Tell them there sleeps in sweet repose,  
A form that lov'd, alas too true,  
One that to me his love disclosed,  
I won his heart, and broke it too.

EDGAR.

To John Spence and Mary his wife, late Mary  
Tobbs, Thomas Triplett and Margaret his  
wife, late Margaret Tobbs, Ann F. Tobbs and  
Thomas Tobbs, Fouché Tobbs, Willoughby  
Tobbs and Samuel Tobbs, heirs of Willoughby  
Tobbs, deceased, who was sole heir at law of  
John Tobbs, deceased.

Jesse L. Holman and Elizabeth his wife, late  
Elizabeth Masterson, Thomas Peniston and  
Sally his wife, late Sally Masterson, William  
Scandrett and Mary his wife, late Mary  
Masterson, Wesley P. Masterson, Lucy  
Masterson and Eleanor Masterson, heirs at law of  
Richard Masterson, dec'd. and George Evans,

### Take Notice.

THAT on the 28th day of February next, at  
the Court-house in Lexington, I shall take  
the depositions of Gen. Thomas Bodley, Gen.  
James Taylor and Capt. Thomas Young; and  
on the first day of March next, and also on the  
second Saturday in March next, at the Court  
house in Washington, I shall take the depositions  
of Gen. Henry Lee, David Blanchard,  
William Beckly, and Peter Lee, as evidence  
in the suit in chancery, depending in the  
Mason Circuit Court, in which I am complainant  
and you are defendants.

JOHN FOWLER.

January 28th, 1820—44t

### 50 Dollars Reward.

STOLEN from the subscriber, at the mouth  
of Hickman, on the Kentucky river, on  
Thursday night the 6th inst. a

Large Dark Bay HORSE,  
Ten years old, 16 hands high, shod all round,  
trots and paces, one hind foot white, a small  
star in the forehead, the top of his head  
rubb'd with the bridle, remarkable heavy made  
and tolerable high carriage.

Also, a Bay MARE,  
About the same color, with a small star in her  
forehead, natural trotter, eight years old,  
rubb'd with the harness very much. Any person  
apprehending and delivering the thief and  
horses to the subscriber near Georgetown Ky., or  
securing them so that I can get them, shall  
receive the above reward, or twenty-five dollars  
for the horses and all reasonable charges paid.

JOHN I. JOHNSON.

January 15, 1820—33

### To all whom it may Concern!!

ALL those having claims of any description  
against the subscriber, will please present  
them immediately, as he intends starting  
to the Missouri territory between this and the  
15th of next month. He may be found at his  
father's, Joseph Evans, near Flemingsburg,  
Ky.

JOHN T. EVANS.

Jan. 20, 1820—33t

TAKEN up in Fayette county, by Samuel  
Taul, on Marble creek, one SORREL  
MARE, about 14 hands high, supposed to be  
eight years old, with a star in the forehead—  
appraised to \$30 this 5th day of October, 1819.  
A. YOUNG.

Woodford county, Sci.  
TAKEN up by William Powell of said county,  
living near Mortonsville, a DARK BAY  
FILLIEY, supposed to be two years old next  
spring, with a few white hairs in her forehead,  
no brands perceivable—appraised to \$10 be-  
fore me this 20th November, 1819.  
J. DAWSON, J.P.C.

## Malt Liquors.

GEORGE WOOD, has now for sale, at the

LEXINGTON NEW BREWERY,

Porter and Beer,  
And will in a short time, have PALE BEER  
ready for market, all brewed in the most cele-  
brated London mode, as taught him by Rich-  
ard Flowers, esq. of Albion, Illinois, during  
his stay in this place.

Draft Porter, \$8 per barrel  
Bottled do. 7 per barrel  
Beer 34 per half barrel  
Do. 75 cents per Jar of 33 gallons  
delivered at the Brewery.

Pale Ale, 9 per barrel  
Do. 2 per dozen.  
The Jars will be found well adapted for  
small families, they are constructed so as to  
draw off the liquor with a crane.  
CASH will be paid for BARLEY at the  
highest price.

"Mr. Flowers acquired his knowledge of  
Brewing at Whitbread's Brewery, London, and  
was afterwards long extensively engaged in  
the trade.  
Lexington New Brewery, Dec. 27—53t

### PUBLIC NOTICE.

THE Subscribers have determined to de-  
cline selling BOOKS and STATIONARY on  
CREDIT in future. To avoid the sacrifice of  
feeling which will be made by a personal re-  
fusal, they confidently trust that no person  
will make application for credit after the ap-  
pearance of this advertisement. Were it ne-  
cessary to assign a reason for adopting this  
measure, they would state, that the extensive  
credits which they have heretofore given, and  
the great want of punctuality on the part of  
those credited, have already involved them in  
considerable difficulties. They have but two  
alternatives, either to decline crediting, or to  
give up business.

James W. Palmer,  
Wm. W. Worsley,  
Lexington Ky. December 28, 1819—53

### Public Notice.

THE subscriber will give for HOGS, deliv-  
ered either gross or neat, at Leesport, on  
the Kentucky river, a liberal price. He  
will give 50 Cents per Bushel for WHEAT—  
40 Cents per Gallon for WHISKEY; and  
One Dollar per Bushel for PEAS or BEANS,  
delivered at the above place.

JAMES JOHNSON.  
Great Crossings, Dec. 1819—49t

### Asa Blanchard.

REPAIRS WATCHES and CLOCKS of ev-  
ery description in the best manner. He  
keeps constant on hand, a large assortment of  
the best

Silver Ware, Watches & Jewelry, Steel  
Chains & Keys, Patent Time Pieces,

Also, Masonic Breastpins,  
Made in the strongest and neatest manner.  
All of which will be sold as low as any in  
the state, of the same quality. Opposite the  
Ky. Branch Bank of Lexington.

September 9—37t

Kentucky, Jessamine Circuit, Sci.  
OCTOBER TERM, 1819.

Peter Smith and Elizabeth his wife, late Eliza-  
beth Shanklin, and Wm. Shanklin—Complai-  
nants.  
Against  
Magdalen Shanklin, John Shanklin, Solomon  
Hornback and Mary his wife, late Mary  
Shanklin, Rowland Hughes & Jane his wife,  
late Jane Shanklin, Robert Shanklin, Celia  
Shanklin, Hannah Shanklin, Catharine Shank-  
lin and George Shanklin—Defendants.

IN CHANCERY.

Magdalen Shanklin, guardian and mother of  
Celia Shanklin, Hannah Shanklin, Catharine  
Shanklin, and George Shanklin, infants and  
heirs of Robt. Shanklin, dec'd.—Petitioners.

Against,  
Peter Smith and Elizabeth his wife, late Eliza-  
beth Shanklin, Solomon Hornback and Mary  
his wife, late Mary Shanklin, Rowland  
Hughes and Jane his wife, late Jane Shank-  
lin, and Robert Shanklin—Defendants.

OS PETITION FOR SALE OF A PART OF THE RE-  
AL ESTATE OF ROBT. SHANKLIN, DEC'D.

THIS day came the complainants and peti-  
tioners by their attorney, and the defend-  
ants, Rowland Hughes and Jane his wife, not  
having entered their appearance herein ac-  
cordingly to law and the rules of this court,  
and it appearing to the satisfaction of the court,  
that they are not inhabitants of this common-  
wealth: On motion of the complainants by  
their attorney, it is considered by the court,  
that unless the said absent defendants do ap-  
pear here on or before the first day of the next  
April term of this court, and answer the com-  
plainant's bills, the same shall be taken as con-  
fessed against them. And it is further ordered,  
that a copy of this order be inserted in  
some authorized newspaper of this common-  
wealth, for two calendar months in suc-  
cession.

A copy. Teste,  
DANIEL H. HARRIS, J.P.C.

4-2m

### Clarke Circuit, Sci.

JANUARY SPECIAL CHANCERY TERM, 1820.

Jailey Downey, Complainant, } IN CHANCERY.  
Leroy Cole &c. Defendants, }

THE defendant, Leroy Cole, by his attorney  
this day produced his answer and cross  
bill herein, which is ordered to be filed; and  
it appearing to the court, that the defendant,  
Mary Johnson, is not an inhabitant of this com-  
monwealth, and no having entered her ap-  
pearance herein according to law and the rules  
of this court: it is therefore ordered, that un-  
less the said defendant do appear here on or  
before the first day of our next March term,  
and answer the complainant's bill herein, and  
also the cross bill of the defendant, Leroy  
Cole, the same will be taken for confessed a-  
gainst her. And it is further ordered, that a  
copy of this order be inserted in some au-  
thorized newspaper printed in this state for  
two months successively.

A copy. Teste,  
JOHN MARTIN, Jr. d.c.c.c.

[4413 S. H.]

### Clarke Circuit, Sci.

JANUARY SPECIAL CHANCERY TERM, 1820.

Robert Kincaid, Complainant, } IN CHANCERY.  
Garland Overton, Defendant, }

ON the motion of the complainant afore-  
said, by his counsel, and it appearing to  
the court, that the defendant is not an in-  
habitant of this commonwealth, and not having  
entered his appearance herein according to law  
and the rules of this court: it is therefore or-  
dered, that unless the said defendant do ap-  
pear here on or before the first day of our  
next March term, and answer the complainant's  
bill herein, the same will be taken for con-  
fessed. And it is further ordered, that a  
copy of this order be inserted in some au-  
thorized newspaper printed in this state for  
two months successively.

A copy. Teste,  
JOHN MARTIN, Jr. d.c.c.c.

[4413 S. H.]

### Blank Bills.

FOR SALE AT THIS OFFICE.

## "Don't give up the Ship."



### ENTERTAINMENT.

#### LUKE USHER,

(SIGN OF THE SHIP.)  
HAS the pleasure to inform his friends, and  
the public in general, that he has again  
opened a HOUSE OF ENTERTAINMENT,  
in the Brick house on Short-street, opposite  
his former stand. Although his loss by the  
late fire was considerable, yet he has used the  
utmost exertions to prepare himself for the  
comfortable accommodation of those who may  
favor him with their custom.

Lexington, Dec. 3, 1819—49t  
N. B. A few gentlemen can be accommodated  
with boarding, on reasonable terms.

WESTERN HOTEL,  
NO. 288, MARKET STREET,  
PHILADELPHIA.

### Sign of Gen. Washington.

THE subscriber begs leave to inform his  
friends and the public, that he has taken  
that well known establishment in Market st.  
next door to the Pittsburgh Mail Stage Office,  
and lately occupied by Mr. George Yohe. To  
those who have been accustomed to resort  
to this house, it is unnecessary to point out  
its superior advantages. For the information of  
others, however, he deems it proper to state  
that its situation is central, high, healthy  
and convenient to business; an extensive  
range of backbuildings, consisting of lodging  
rooms, afford a fine view of the city to the  
eastward, and admit of a free and uninterrupted  
circulation of air, and what will give them  
a decided preference in the opinion of many,  
is the attachment thereto of balconies, so con-  
structed as not only to afford pleasant prom-  
enades, but easy means of escape in the event  
of necessity from any sudden alarm of fire.

The great western Stages start every  
morning from the door, and on the premises  
is one of the best Livery Stables in the city,  
conducted by Mr. John Tomlinson, where  
travellers' horses will be faithfully attended to.  
With these advantages, and some further  
improvements now making, added to his own  
unremitted exertions to please, the Subscri-  
ber confidently hopes for, and very respect-  
fully solicits, a share public patronage.

R. SMITH.

Printers of the Lexington Gazette, Lexing-  
ton, Ky.; Pittsburgh Gazette, Pittsburgh, Pa.;  
Western Spy, Cincinnati, Ohio, will please  
insert this advertisement once a week for  
three months, and forward their bills for pay-  
ment to the Office of the "The Union, &c."  
No. 50, Chesnut street, Philadelphia.

Philadelphia, Aug. 11, 1819—38.5mo.

### 30 Dollars Reward.

RAN AWAY from the subscriber, living  
in Fayette county, 3 miles from the  
mouth of Jack's Creek, a NEGRO MAN  
named KIT—he is about 5 feet 7 inches high,  
22 years of age, dark complexion, lame in his  
left ankle, of a low speech, proud carriage—  
he has a wife in Winchester at Mr. D. Tal-  
laferro's. He can write his own name. Thirty  
Dollars reward will be given for said Negro  
if taken out of the state, and secured so  
that I get him, or Ten Dollars if apprehend-  
ed in the state.

THOMAS BARNES.  
February 4th, 1820—53t

### Lexington Brass, Iron & Bell



CONTINUES to carry on the FOUNDER-  
ING BUSINESS, in the town of Lexing-  
ton, second door below the Theatre, Water  
street, where all kinds of

Brass and Iron Work for  
Machinery &c.

May be had on the shortest notice. Also, will  
be kept on hand BELLS for Taverns, Houses  
and Horses; refined Wagon, Carriage and  
Hog BOXES; Hatter's, Tailor's and PLAT-  
FORMS; Scale Weights and Waffle Irons;  
Gun Mountings and Clock Castings; Rive-  
rs and Still Cooks, with many other articles too  
tedious to mention.

Lexington, June 18, 1819—25t

### For Sale or to Hire,

A NEGRO MAN,  
WHO has been used to driving a team and  
working on a farm for several years;  
but has recently been employed as a waiter  
in a Tavern. His character for industry, so-  
briety and honesty, is indisputable, and the  
owner's reason for selling him is on account of  
his leaving the state, and the man having a  
wife and family, from whom he does not wish  
to part. A long credit will be given.

Apply at this Office.  
August 5, 1819—324t

10,000 lbs. IRON,  
1500 lbs. WOOL, in fleece,  
A small invoice of GOODS,  
PRINTING PAPER and FULLER'S  
BOARDS, &c.

To be sold at 1, 2, and 3 years credit; pay-  
ment made secure.

A NUMBER OF  
NEGROES,  
Men, Women, Boys and Girls, to be hired the  
ensuing year.

WILL S. DALLAM.  
Nov. 25—48t2

WOOL.  
WANTED, a quantity of clean washed as-  
sorted WOOL. Apply at the Fayette  
Cotton Factory.

Also, a quantity of HOGS' LAIRD.  
POSTLETHWAIT, BRAND & Co.  
Sept. 30, 1819—40t

Blank Checks.  
JUST printed and for sale at the office of the  
Kentucky Gazette, CHECKS on the For-  
mers and Mechanics Bank of Lexington, in  
books, or by the quire. Also, checks on the  
United States Bank and the Lexington Branch  
Banks

May 29—t

## COTTON YARNS.

THE UNDERSIGNED HAVING PURCHASED OF

CHARLES WILKINS, ESQ. THE

Manufacturing Establishment,

(Late the Property of Mr. Lewis Sanders.)

IN the neighborhood of Lexington, and hav-  
ing, at considerable expense, repaired the  
Machinery &c. announce to the public, that  
the Factory is now in complete operation, and  
that they are ready to supply orders with  
COTTON YARNS of superior quality, and of  
all Numbers and Sizes.

Merchants who purchase to sell again, will  
be allowed a discount, that will make YARNS  
as low as those purchased to the Eastward—  
They therefore confidently expect the patron-  
age of Western Merchants.

JOHN POSTLETHWAIT,  
JOHN BRAND,  
ELISHA WARFIELD,  
JOHN TILFORD.

TRADING UNDER THE FIRM OF

Postlethwait, Brand & Co.

Fayette Cotton Factory, Sept. 20, 1819.

N. B. YARNS are deposited at the Stores of  
E. WARFIELD, and TILFORD, TROTTER  
& Co. Lexington, and for sale at reduced prices,  
where orders being left will be promptly  
attended to.

### Take Notice.

THE halves of seven Notes for \$100 each,  
of the Bank of the United States, payable  
at the Lexington and Louisville Branches,  
were put in the Post-office at Lexington, Ky.  
addressed to the subscriber, on 12th February  
last, and have miscarried. The other halves  
transmitted by a subsequent mail, have been  
received. Those missing are endorsed pay-  
able to my order by STANDISH FORDE.  
A. No. 393, payable to J. Morrison, Lexing-  
ton branch, \$100  
" 340, do. do. do. 100  
" 303, do. do. do. 100  
" 393, do. do. do. 100  
" 177, Louisville branch, 100  
" 248, J. Morrison, Lex. branch, 100  
" 249, do. do. do. 100

JOHN DUBARRY.  
Philadelphia, Oct. 1819—45-10t

### TO THE LADIES.

Mrs. Plimpton,  
Has just received from New York and Phila-  
delphia, an elegant assortment of

Leghorn, Gimp, Chip and Straw  
BONNETS;

LIKEWISE AN ELEGANT ASSORTMENT OF  
Fancy Articles, Jewelry and Silver  
Ware,

All of which will be sold as cheap as can be  
purchased in the Western country. Opposite  
the Gazette Office, Main street.  
Lexington, 3d June, 181 23t

### Garden Seeds.

JUST received, a fresh and General As-  
sortment of CHOICE SEEDS, on Main-  
street, next door below Mr. Logan's Currying  
Shop, at the Oil Cloth Factory, where also may  
be had

Travelling Cloaks & Hat Covers,  
Warranted, or any other article in the above  
line—Also, on hand a large assortment of

Ready-Made Clothes,  
Which will be sold on reasonable terms.

T. HICKEY.

January 14th, 1820—2

### Cash for Barley.

GEORGE WOOD, will give the highest  
price CASH in hand, for BARLEY of  
good quality at  
The Lexington New Brewery.  
Enquiry may be made of Dr. Elisha Warfield  
or Mr. John Brand.

October 1—40t

### For Sale or to Rent,

A COTTON FACTORY,  
Containing 108 Spindles & 3 Carding Machines,  
WITH every necessary appurtenance, all  
in good order and ready for immediate  
business. This property is fitted up in a good  
brick house, located in a valuable and con-  
venient part of the town, and will be sold sepa-  
rately or with the house to suit the purchaser.  
Terms liberal, both as to price and time of  
payment: and we believe, that we can assert  
without presumption, that no place in Ken-  
tucky would better support an establishment  
of its size than Versailles, where there is a  
regular and increasing demand for Cotton  
Yarns. Apply to

R. & W. B. LONG.

Versailles, Feb. 5—4t

### 10 Dollars Reward.

STRAYED from the  
4th and 10th of July last  
from the subscriber, living  
in Lexington, Ky. a GREY  
HORSE, with a dark mane,  
short dock and switch tail,  
dark legs, dish face, and full  
eyes. He is fourteen and  
half hands high, or upwards, to the best of my  
recollection; between six and seven years  
old; was unshod when he left here. He is  
supposed to have been raised in the neighbor-  
hood of Lexington.

The subscriber will give TEN DOLLARS  
reward to the person who shall deliver said  
Horse to him in Lexington, and pay all reason-  
able expenses.

FRANCIS RICKEL.

December 10, 1819—50t

### Dancing School.

MR. DARRAC,  
RESPECTFULLY informs those young  
Gentlemen who may feel desirous of  
learning the polite art of Dancing, that an  
EVENING SCHOOL will be opened ex-  
pressly for their convenience, on Tuesday  
and Friday nights, from 6 until 9 o'clock, in each  
week. Application to be made to Mr. Darrac.

3-4t January 21, 1820.

5000 pounds Hogs' Bristles.

THE highest price in Cash, will be given  
for 5000 lbs. of clean combed HOGS'  
BRISTLES, at the Brush Manufactory of the  
subscriber, on Main-street, two doors below  
the Post-Office.

JOHN LOCKWOOD.  
Lexington, Dec. 24, 1819—52-3t

Just Published,  
AND FOR SALE AT THIS OFFICE,

THE SPEECH  
OF  
JESSE BLEDSOE, ESQ.

ON THE SUBJECT OF  
Banks and Banking.  
PRICE 25 CENTS.

ALMANACKS,  
For Sale at the GAZETTE OFFICE.

## SALT.

THE Subscribers have Just Received,

A quantity of Salt,

For sale at TWO DOLLARS per bushel, by

the Barrel.

HIGGINS & PRITCHETT.

August 12, 1819—33t

### 20 Dollars Reward

STRAYED or Stolen from the sub-  
scriber about the 3d inst. an IRON GREY MARE, about  
6 years old last spring; she paces  
trots and canters remarkably well, has been  
injured in foaling, which is a very noted mark,  
with some saddle spots on her back. She  
is about sixteen hands high. The above re-  
ward of \$20 will be given for the mare and  
thief, and 10 dollars for the mare alone, de-  
livered to the subscriber living on Hickman  
creek, Jessamine county.

JACOB TOLHUNTER.  
January 14th, 1820—2t

### HEMP.

THE HIGHEST PRICE CASH IN HAND,

Given for Hemp,

Delivered at the Rope Walk formerly the  
property of James Keens, dec'd., on Water-  
street. HENRY WATT.  
Lexington, February 5, 1819—4t

### United States of America,

Seventh Circuit Court, } sct.  
Kentucky District. }  
November Term, 1818.

Alexander Cranston & Co.—compts.

against

John P. Schatzell, &c.—defts.

IN CHANCERY.  
JOHN H. HANNA, Clerk of the Seventh  
Circuit Court of the United States in and  
for the District of Kentucky, do hereby certify  
that the order of injunction awarded herein,  
restr